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# ACT OF INCORPORATION,

# CONSTITUTION,

AND

BYE-LAWS,

OF THE

# PHILADELPHIA LINNEAN SOCIETY.

TOGETHER WITH A

LIST OF THE OFFICERS AND MEMBERS OF THE SAME.

PRINTED BY ORDER OF THE SOCIETY.

[Vide Minutes, Jan. 2, 1817.]

PHILADELPHIA:

PRINTED BY THOMAS H. PALMER.

1817.



# ACT OF INCORPORATION.

KNOW ALL MEN to whom these Presents shall come, That we, the undersigned, citizens of the commonwealth of Pennsylvania, having associated ourselves together, for the purpose of promoting the knowledge and interests of Natural Science, in the most extensive meaning of that phrase, have agreed upon the following articles, under which we are desirous of enjoying the privileges, powers, and immunities of a body politic in law.

# ARTICLE THE FIRST.

The association shall be styled "THE PHILA-DELPHIA LINNEAN SOCIETY," and shall consist of the subscribers to this instrument, and of such other persons, citizens of the commonwealth of Pennsylvania, as may hereafter be chosen according to the bye-laws of the society.

# ARTICLE THE SECOND.

The officers of the society shall consist of a president, a vice-president, a corresponding secretary, a recording secretary, a treasurer, and two curators—all of whom shall be chosen from among the resident members of

the society, in the manner, and at the time, and for the periods designated in the bye-laws; and whose respective duties shall be prescribed thereby.—The persons at present holding the offices of the society shall continue therein until the next annual election.

# ARTICLE THE THIRD.

The amount of admission-fees, and of annual contributions shall be determined by the bye-laws of the society; and no member shall exercise the right of voting in the election of officers and members, unless he shall produce, if thereto required, the certificate of the treasurer, that he has complied with the laws upon the above-named subjects.

# ARTICLE THE FOURTH.

The society shall hold its stated meetings on the first

and third Thursdays of every month in the year. Special meetings may be convened at any other times, either by resolution of the society, or by the president.

Two extraordinary meetings shall be held in every year.—One on the first Monday in December, and the other on the first Monday in May; for the sole and exclusive purpose of altering or amending the constitution or laws of the society, should any alteration or amendment be deemed expedient or necessary. And no alterations or amendments shall be made in the constitution or laws at any other time.

The stated and special meetings of the society shall be called in the manner and at the time, and shall sit during the hours prescribed by the bye-laws. And it shall be lawful for the president, by and with the concurrence of the society, to call meetings at other times than those above specified, whenever sufficient reasons therefor may appear.

# ARTICLE THE FIFTH.

At all meetings regularly and legally convened, five members shall constitute a quorum for the transaction of the ordinary business of the society; but at all elections for officers or for members to whom the society design to show a mark of respect, nine members, at least, shall be present.

# ARTICLE THE SIXTH.

The said corporation or body politic, and their successors, by the name, style, and title heretofore recited, shall for ever hereafter be able and capable in law and in fact, to sue and be sued, to plead and to be impleaded, in any court or courts, before any judge or judges, justice or justices, having jurisdiction therein, in all manner of suits, complaints, pleas, causes, matters, and demands whatsoever. They shall have power to make and use one common seal, with such device and inscription as they shall deem proper; and the same to break, alter, and renew at their pleasure. They shall have power and authority to make byelaws, rules, and ordinances; and to do every other act and thing needful for the good government and support of the affairs of the society, and the promotion of the objects of its institution. Provided always, that the said bye-laws, rules, and ordinances, or any of them, be not repugnant to the constitution and laws of

the United States; to the constitution and laws of this commonwealth; or to this, the instrument of their incorporation.

# ARTICLE THE SEVENTH.

The said corporation, and their successors, by the name, style, and title aforesaid, shall be able and capable in law, according to the terms and conditions of this instrument, to take, receive, and hold, all and all manner of gifts, grants, devises, and bequests of real, personal, or mixed estate or estates, and to dispose thereof in any lawful manner, for the use of the corporation. *Provided* always, that the clear yearly value of the estate or estates, real, personal, or mixed of the said corporation, and the interest of money by them lent, shall not exceed the sum of five hundred pounds.

# ARTICLE THE EIGHTH.

No alteration, addition, or amendment to this constitution shall be made, unless it be proposed by three members, at least one stated meeting previous to the time appropriated to this purpose by the fourth article, and meet with the concurrence of two-thirds of the members present, and in the mode prescribed by the act of assembly.

WILLIAM P. C. BARTON,
R. M. PATTERSON.
THOMAS C. JAMES,
N. CHAPMAN,
JOHN SYNG DORSEY,
THOS. T. HEWSON,
CH. CALDWELL,
AARON B. TUCKER,

SAMUEL C. HOPKINS.
GEORGE S. SCHOTT.
SAMUEL JACKSON,
SAM. STEWART,
RICHARD POVALL,
S. COLHOUN,
JOSEPH PARRISH,
THOMAS HARRIS,

I have perused and examined the preceding instrument, and hereby certify, that I am of opinion that the objects, articles, and conditions therein set forth and contained are lawful.

JARED INGERSOLL,

We, the justices of the Supreme Court of the commonwealth of Pennsylvania, hereby certify, That at a supreme court, held at Philadelphia, for the said commonwealth, on the eighth day of August, in the year of our Lord one thousand eight hundred and sixteen, an act or instrument of incorporation of the Philadelphia Linnean Society, by the name and title of "The Philadelphia Linnean Society," signed by a number of persons, citizens of this commonwealth, together with the opinion of Jared Ingersoll, Esq. attorney-general of this commonwealth, thereon, was exhibited to the said Supreme Court; who, having perused and examined the same, concur with him in opinion, that the objects, articles, and conditions therein set forth and contained are lawful.

WM. TILGHMAN.
J. YATES.
JOHN B. GIBSON.

Secretary's Office, December 18th, 1816.

Enrolled in the office of the Secretary of the commonwealth, in book No. 2, page No. 219, containing a record of acts incorporating sundry religious, charitable, and literary societies.

Witness my hand, and the lesser seal of the state, at Harrisburg, the day and year aforesaid.



N. B. BOILEAU, SEC.

Pennsylvania, ss.

In the name and by the authority of the commonwealth of Pennsylvania, SIMON SNYDER, governor of the said commonwealth, to Nathaniel B. Boileau, Esq. secretary of the said commonwealth, sends greeting:

Whereas it has been duly certified to me by Jared Ingersoll, Esq. attorney-general of the said commonwealth, and by William Tilghman, Esq. chief justice, and Jasper Yates and John B. Gibson, Esqrs. associate justices of the supreme court of Pennsylvania, that they have respectively perused and examined the within act or instrument for the incorporation of "The Philadelphia Linnean Society," and that they concur in opinion, that the objects, articles, and conditions therein set forth and contained are lawful. Now know you, that in pursuance of an act of the general assembly, passed the sixth day of April, in the year of our Lord one thousand seven hundred and ninety-one, entitled "an act to confer on certain associ-" ations of the citizens of this commonwealth, the

"powers and immunities of corporation or bodies politic in law," I have transmitted the said act, or instrument of incorporation unto you, the said Nathaniel B. Boileau, Esq. secretary of the said commonwealth, hereby requiring you to enrol the same at the expense of the applicants, to the intent that according to the objects, articles, and conditions therein set forth and contained, the parties may become and be a corporation and body politic in law and in fact, to have continuance by the name, style and title, in the said instrument provided and declared.

Given under my hand and the great scal of the state, at Harrisburgh, the eighteenth day of December, one thousand eight hundred and sixteen, and of the commonwealth the forty-first.



SIMON SNYDER.

By the Governor,
N. B. Boileau, Sec.

# CONSTITUTION.

# ARTICLE FIRST.

Of the Organization of the Society.

Section 1. The Association shall be denominated "The Philadelphia Linnean Society."

- 2. The object of the Society, shall be to promote the knowledge and interests of Natural Science, in the most extensive meaning of that phrase.
- 3. There shall be but one grade of membership in the society, and the members shall be styled "Members of the Philadelphia Linnean Society."
- 5. The officers of the society shall be the following, yiz:—A President—A Vice-President—A Corresponding Secretary—A Recording Secretary—A Treasurer, and Two Curators.
- 6. All the officers shall be chosen from among the resident members.

# ARTICLE SECOND.

Of the Admission-fee and Annual Payments to be made by the members.

Section 1. Every resident member, on his introduction to the society, shall pay into the hands of the treasurer, or in the absence of that officer, into the hands of the president, such admission-fee as shall be established by a law of the society.

- 2. Every resident member shall further pay into the hands of the treasurer, on the first stated meeting in January, such annual subscription towards supporting the funds of the association, as may be required by a law of the society for the purpose; and no member shall be entitled to vote at the annual election for officers, unless it appears he has paid his yearly contribution; and also all arrears due the society, if any such there be.
- 3. In any case, however, where an election to membership is intended as a compliment to a person of distinction resident in the city, the admission-fee and every other pecuniary obligation may, with the approbation of the society, be dispensed with.

# ARTICLE THIRD.

# Of the Duties of Officers.

Section 1. Of the President.—It shall be the duty of the president to preside over all meetings of the society. He shall take the chair and constitute the society at the hour assigned for the meeting. He is to preserve order; state and put questions according to the meaning and intention of the members; regulate debates, and if he shall deem proper, state questions for discussion. In all equal divisions of the sense of the society, he shall give the casting vote.

- 2. Of the Vice-President.—It shall be the duty of the vice-president, to perform all the duties appertaining to the office of president, in the absence of that officer.
- 3. Of the Corresponding Secretary.—The duty of the corresponding secretary shall be, to receive all

written communications directed to the society; and in general to maintain its correspondence. He shall

sign himself "Corresponding Secretary."

4. Of the Recording Secretary.—The duty of the recording secretary shall be to take and preserve minutes of the proceedings of the society. Rough minutes shall be made during the meeting, and read previously to the adjournment. They shall be carefully and legibly copied into the minute book, and again read immediately after the constituting of the next meeting.

5. Of the treasurer.—The duty of the treasurer shall

be, to collect and receive all monies due to the society, and pay the same in such way as it may order. He shall pay all bills accepted by the society and entered on the minutes as accepted, and none other, except on his individual responsibility. He shall keep an exact statement of all monies received and paid by him, on account of the society; and such statement shall be fairly and legibly written in a book kept for the purpose. He shall lay before the society on the first stated meeting in November, every year, or oftener if required, an abstract of his account of receipts and disbursements made by their order, which shall be submitted to the inspection of a committee appointed for the purpose. He shall deliver up to his successor, the books and all the papers and vouchers belonging to them, together with the

balance in his hands. And for the faithful discharge of his trust, he shall, before he enters on the duties of his office, give bond and security to the president and vice-president, in double the sum they may think it

likely he will be entrusted with, during his term of service.

6. Of the Curators.—On the curators shall devolve the charge and care of all original papers; specimens of all kinds, whether from the animal, vegetable, or mineral kingdom; drawings; books, &c. belonging to the society-and, in general, all property of whatever kind, (monies excepted) which is or may be owned by the society, during their term of service. They shall class and arrange the articles under their care, in proper order; and keep an exact list of them, with the names of the respective donors, in a book provided for the purpose, which shall be laid before the society as often as called for. The curators on entering upon the duties of their office, shall give such receipts for every thing committed to their care and keeping, as the society shall deem proper; and at the end of their term of service, shall deliver the same to their successors. They shall not deliver any article committed to their charge, into the hands of any member, or other person, without an order from the society. And finally, for the faithful performance of their duties, they shall, if required by the society, give bond and security to the president and vice-president, each in such a sum as they shall think proper.

# ARTICLE FOURTH.

Of the Meetings of the Society.

Section 1. The society shall hold its stated meetings on the first and third Thursdays of every month in the year.

2. Special meetings may at any other times be

convened, either by resolution of the society, or by the President.

- 3. Two extraordinary meetings shall be held in every year, one on the first Monday in December, and the other on the first Monday in May, for the sole and express purpose of altering or amending the laws of the society, in case any such alteration or emendation may be deemed expedient or necessary. And no alterations or amendments shall be made in the laws at any other times.
- 4. All meetings of the society shall, in general, be called at early candle-light, and no meeting shall be continued after eleven o'clock, nor any new business be brought before the society after half past nine. It shall however be lawful for the president, with the concurrence of the society, to appoint any other time than that just specified, for the meetings, whenever sufficient reason may appear for a deviation from the customary hour or time.
- 5. The meetings of the society shall be called by advertisements in the public newspapers, and by notices sent to the resident members.
- 6. Five members shall constitute a quorum to transact ordinary business. It is requisite, however, that at least nine members be present, when any alteration of the constitution, or an election of officers or foreign members is to be gone into.

# ARTICLE FIFTH.

Section 1. The officers of the society shall be elected for one year, by ballot, on the first Thursday in January, and a majority shall elect.

- 2. The election of members shall be in order at any stated meeting, and shall be by secret ballot, when two thirds of the members present, shall elect.
  - 3. No member shall be balloted for, unless his nomination has been made and seconded, at least one stated meeting previous to the election.
  - 4. The name of the candidate, together with the names of the members making and seconding his nomination, shall be entered in a book kept exclusively for this purpose by the recording secretary. This book shall be produced for the inspection of any member who may call for it during any of the meetings.
  - 5. It shall be necessary for the members making or seconding the nomination of any candidate to state, either at the time of the nomination, or at some following meeting, or on the day of election—the qualifications of the candidate—and in the case of candidates not residing in the city, the benefit which is likely to to result from an election of such to membership in the society.
  - 7. No gentleman proposed as a candidate for membership, shall be balloted for, unless either the proposer, or person seconding the proposition, be present at the meeting.
  - 8. Every member on his admission shall receive a certificate or diploma in the following form:

# SOCIETAS LINNÆANA PHILADELPHIENSIS.

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SCIENTIÆ. NATURALIS CULTORIBUS

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# ARTICLE SIXTH.

Of Committees.

Section 1. The appointment of committees shall be in this manner, viz: The president shall nominate one, who, if the concurrence of the society in the nomination be obtained, shall name a second; the second shall name a third, and so on till the definite number be appointed. The member named by the president shall be considered as chairman of the committee; and it shall be his duty to name a time for the meeting of the committee, at which it may be convenient for all the members composing it to attend. And this he shall do, if practicable, before leaving the society. The decisions of the committee shall be made by a majority of votes. It shall be their duty to offer their reports punctually at the time prescribed, or when this cannot be done, to state to the society their reasons for delay.

2. Written communications made to the society, shall always be referred to a committee, who shall rereport their judgment thereon, before such communications be finally disposed of.

# ARTICLE SEVENTH.

Section 1. No alteration, addition, or amendment, shall be made to the constitution, unless it be proposed by three members, at least one stated meeting before the time set apart for this purpose in the 4th Art. and meet with the concurrence of two thirds of the members present.

# BYE-LAWS

OF THE

# PHILADELPHIA LINNEAN SOCIETY.

Adopted June 20, 1816.

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# SECTION I.

Rules respecting the Order of Businesss at the meetings of the society.

The president, the vice-president, or in their absence the chairman chosen by the society to preside during the meeting, shall take the chair, and call the society to order, within one hour at most after the time appointed for the meeting of the society. The ordinary business of the society shall then, as nearly as circumstances may admit, proceed in the following order:

- 1. The Recording Secretary shall read the minutes of the last stated meeting, and also of any subsequent special meeting, if such have occurred.
- 2. Committees appointed at former meetings shall be called upon to make their reports, which may then be adopted, rejected, amended, recommitted, or the consideration thereof postponed, as the society shall determine.

- 3. Donations will be received, and the thanks of the society returned to the donor, if present, by the presiding member; but if absent, in a letter signed by one of the secretaries.
- 4. Letters, papers, or communications will be received by the presiding member, and read by one of the secretaries. Every communication which may be considered as intended for a place in the transactions of the society, shall immediately be referred to a committee to consider and report thereon, and the receipt of the paper, if the author be not a resident member, shall be acknowledged in a letter signed by one of the secretaries.
- 5. Communications or remarks, whether verbal or in writing, (though the latter will always be preferred) which may not be intended by their authors for publication in the transactions of the society, will be received and recorded or transcribed by the recording secretary in a book to be provided and kept for that purpose.
- 6. Any other business not comprehended under any of the foregoing heads, may by motion be brought before the society and discussed.
- 7. The rough minutes of the present meeting shall be read by the recording secretary, and if necessary corrected by the society, and then, or before the next meeting of the society, be transcribed into the book of minutes. The secretary shall note down at each meeting, the names of the members present, and the name of the member in the chair, and shall moreover insert them in the minutes.
- 8. The society shall be adjourned by the presiding member.

# SECTION II.

Rules respecting the Election of Members and other Periodical Business of the Society.

- 1. At the meetings of the society when new members are to be elected, the names of the candidates (being announced by the president or presiding member, or being attached to the ballot box) shall be severally balloted for. Previously to the balloting for any candidate, one of the members who proposed him or any other member, may for the information of the society, speak of his character and qualifications as a member of the society. The secretary shall then call over the names of the members present, in the order they are inserted in the minutes, and in this order they shall ballot for the several candidates in succession. A white ball being considered as in favour, and a black one as the contrary. The balloting being gone through, the boxes shall be opened, and the state of the poll declared by the presiding member. No candidate shall be balloted for if none of the members proposing him be present; but his election shall be postponed till the next stated period, unless the socicty shall at the time determine otherwise. No gentleman whose election has been twice postponed shall be any longer considered as a candidate without a new nomination.
- 2. Previous to the election of an orator, or person to deliver an address, an eulogium, or the like, a nomination shall be made by any member of the society at the stated meeting immediately preceding, or on the evening of such election, if the society shall think pro-

per; and out of this nomination the orator or person to deliver the address, &c. shall be chosen by ballot.

3. When a person has been chosen to deliver an oration, address, eulogium, or the like, he shall inform the society immediately, if present, whether he will accept the appointment; and in case he should be absent at the time of his election, the society shall appoint a committee to wait on him, inform him of such appointment, and report to the society at the next meeting, whether he accepts or declines the office.

# SECTION III.

Rules respecting the Advertisement of Meetings, &c.

1. Every meeting of the society shall be advertised by the recording secretary in at least two of the daily newspapers of the city, (if it can be done without any expense to the society) on the day previous to the time of meeting, and a written or printed notification shall be sent by the recording secretary, to each resident member on the day of the meeting.

# SECTION IV.

- 1. No committee appointed on any subject of deliberation shall consist of less than three members; but any other matter may be committed to a single member. A majority of any committee shall be a quorum.
- 2. When any committee is appointed, the time at which they are to make their report shall also be appointed by the society; and on failure of the committee making a final report at this time, unless a satisfactory reason can be given for their delay, they shall

be discharged, and the matter dropped or referred to another committee, as the society shall then determine.

- 3. All reports shall be in writing, and signed by all the members agreeing thereto.
- 4. The committee to whom shall be referred any communication which may be considered as intended for a place in the transactions of the society, shall report their opinion, and if this be in favour of publication, they shall make such corrections as they may judge necessary, to fit it for the press. And if they shall judge the publication of an extract or extracts from the paper most eligible, they shall accompany their report with such abstract or extracts. The author, however, in these cases, shall be consulted, if convenient, before the paper is printed.
- 5. When any committee is appointed, the recording secretary shall enter in a book provided and kept for that purpose, and divided into proper columns, the names of the committee, the time of appointment, the matter or business committed to them, and the time at which they are to report, and when the final report is made, the time shall be entered in an adjoining column.

# SECTION V.

Rules respecting the annual contribution, and the sums to be haid by new members on their admission.

1. The contribution of members resident in the city, or within ten miles thereof, shall be two dollars

per annum, payable on the first Thursday of January, at the time of the annual election of officers; and the sum to be paid by every new member on his admission into the society, or on receiving a certificate of membership, shall be eight dollars. Members, however, residing in foreign countries, or members residing in this country whose election has been intended by the society as a compliment, shall be exempted from this payment.

- 2. No member in arrears, either for his admissionmoney or annual payments, shall be eligible to any office, or be entitled to vote on any question in the society.
- 3. No member who shall be in arrear to the society for two or more annual payments; or who, residing in Philadelphia, has neglected to attend their meetings for eight months in succession, after having been duly notified, shall any longer receive notification of the meetings of the society.

# SECTION VI.

Rule respecting the notification of new members of their election.

As soon as a candidate shall be elected to membership, it shall be the duty of the corresponding secretary to transmit to him a printed notice of the same in the following words: SIR,

I am directed by the Philadelphia Linnean Society to inform you, that they have elected you a member of their association. You will herewith receive a copy of their constitution and bye-laws.

I am further desired to inform you, that the admission-fee to be paid by new members, is eight dollars, which it is expected you will pay to the treasurer or president of the society, either at our next meeting (which will be held on Thursday the

at early candle-light,) or at some time previous to it.

1 am, sir, respectfully,

your obedient servant,

Corresponding Secretary. Linnean Hall, Philadelphia.

When persons residing in foreign countries are elected to membership, it shall be the duty of the president to notify such persons of their election, and at the same time the corresponding secretary shall direct a letter to each person elected, accompanying the certificate of membership in the words following:

SIR,

I am directed by the Philadelphia Linnean Society to transmit you a certificate of membership, which you will herewith receive.

Conformably with the rules of the society relative to foreign members or other persons to whom we

have intended to shew a mark of respect, the president of the society will notify you of your election.

I am sir,

with very great respect, and consideration, your most obedient servant,

> Corresponding Sec. Linnean Hall, Philadelphia.

To

# SECTION VII.

Rule respecting foreign correspondence, and communications made to the society.

All foreign correspondence on the business of the society shall be signed by the president and corresponding secretary; and all communications made to the society either by foreign societies, individuals, or by societies and individuals in our own country, should be directed to the president of the society.

# SECTION VIII.

General rules relating to order, &c. in the society.

- 1. No debate shall ever take place in the society, but on motion duly made and seconded, and afterwards stated by the presiding member.
- 2. When a member speaks he shall stand up, addressing himself to the presiding member, and avoiding desultory remarks, he shall confine himself strictly to the merits of the question under consideration.

- 3. No member while speaking shall be interrupted, unless by the presiding member, when he shall think fit to call him to order, or to admonish him to a closer adherence to the question under discussion.
- 4. When a member speaking is called to order, he shall instantly sit down, or appeal from the call to the society, who shall determine without debate.
- 5. No member shall speak more than twice to the same question without previously asking and obtaining leave of the society.
- 6. Whilst any question or motion is under debate, no other motion shall be admitted, unless to divide the question, to amend, to postpone, or to adjourn.
- 7. No motion to reconsider a former resolution can be made or seconded, except by a member who voted in favour of such resolution.
- 8. No motion under decision can be withdrawn without consent of the society.
- 9. No motion for adjournment shall be carried, unless by the unanimous vote of the society before halfpast eight o'clock in the evening, and shall at all times be determined without debate.
- 10. All the bye-laws heretofore made by the society, and all other rules and regulations other than those referred to in the foregoing articles, are repealed.

# LIST OF MEMBERS.

(Those with an Asterisk prefixed, are dead.)

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Elected in 1806.† \*Benjamin Smith Barton, M. D. Profes. Un. Penn. and late President of the Society.

\*John Bartram.

William Bartram.

\*Henry Muhlenburg D. D. of Lancaster.

Robert M. Patterson, M. D. Profes.
Un. Penn.

William P. C. Barton, M. D. Profes. Un. Penn.

Samuel Colhoun, M. D.

Samuel Jackson, M. D.

1807. John Syng Dorsey, M. D. Profes. Un.

Charles Caldwell, M. D. Profes. Un. Penn.

Robert Mayo, M. D.

Charles W. Peale.

James Edward Smith, M. D.—F. R. S. and President of the Linnæan Society of London.

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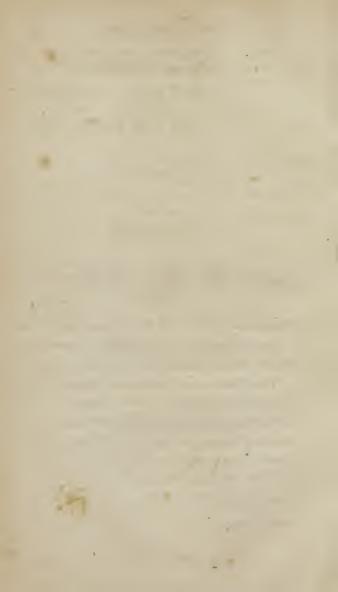
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